

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

IN RE:

CASE NO. 3:14-bk-02690-JAF

PEDRO SAAVEDRA and
VIVIANA SAAVEDRA,
d/b/a Saavedra Farms,

Debtors.

**DEBTORS' MOTION FOR VALUATION OF PROPERTY OF
THE ESTATE AS TO SECURED CREDITOR,
USDA FARM SERVICE AGENCY**

**NOTICE OF OPPORTUNITY TO
OBJECT AND FOR HEARING**

Pursuant to M.D. Fla. L. B. R. 2002-4(a)(6), the Court will consider this motion, objection, or other matter without further notice or hearing unless a party in interest files an objection within 30 days from the date this paper is entered on the docket. If you object to the relief requested in this paper, you must file your objection with the Clerk of the Court at United States Bankruptcy Court, 300 North Hogan Street, 3-350, Jacksonville, Florida 32202-4267, and serve a copy on the movant's attorney, Anthony W. Chauncey, Esquire, Post Office Box 1288, Live Oak, Florida 32064 and Douglas W. Neway, Esquire, Post Office Box 4308, Jacksonville, Florida 32201.

If you file and serve an objection within the time permitted, the Court will schedule a hearing and you will be notified. If you do not file an objection within the time permitted, the Court will consider that you do not oppose the granting of the relief requested in the paper, will proceed to consider the paper without further notice or hearing, and may grant the relief requested.

The Debtors, Pedro Saavedra and Viviana Saavedra, through the undersigned counsel, in accordance with 11 U.S.C. §506(a), serves this Motion to Value Property of the Estate in which the Secured Creditor, USDA Farm Service Agency, holds a mortgage or security interest and asserts as follows:

1. The Debtor requests valuation in accordance with § 506(a), United States Bankruptcy Code.
2. The name of the lienholder is: USDA Farm Service Agency.
3. The type of property is personal and real property described as: the Debtors' farm property, poultry houses, poultry equipment, farm equipment and implements and miscellaneous items.
4. The amount of the debt is in excess of \$200,000.00.
5. The fair market value of the collateral is \$00.00. The Debtors' assets are all encumbered by liens, mortgages and security interests for amounts far in excess of their fair market value.
6. The Debtors respectfully submit that the Service's secured claim should be treated as an unsecured priority claim.

WHEREFORE, the Debtors request this Court to enter an Order valuing the Property of the Estate described above in which the Secured Creditor, USDA Farm Service Agency, holds a mortgage or security interest at \$0.00. An Affidavit of Valuation is attached.

CERTIFICATE OF SERVICE

I CERTIFY that a true and correct copy of the foregoing was furnished by electronic/email notification or United States Mail, postage prepaid and first class, to Douglas W. Neway, Esquire, Chapter 12 Trustee, Post Office Box 4308, Jacksonville, Florida 32201; and U.S. Department of Agriculture, Farm Service Agency, 1400 Independence Avenue, S.W. Stop 0506, Washington, DC 20250-0506; and USDA Farm Service Agency, Post Office Box 141030, Gainesville, Florida 32614 on this 27th day of June, 2014.

THE DECKER LAW FIRM, P. A.

BY /s/ Anthony W. Chauncey
Anthony W. Chauncey, Esquire
Florida Bar No. 75023
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UNITED STATES BANKRUPTCY COURT
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IN RE:

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PEDRO SAAVEDRA and
VIVIANA SAAVEDRA,
d/b/a Saavedra Farms,

Debtors.

AFFIDAVIT OF VALUATION

STATE OF FLORIDA
COUNTY OF SUWANNEE

BEFORE ME, the undersigned authority, personally appeared Pedro Saavedra and Viviana Saavedra who upon being first duly sworn state as follows:

1. The Debtors request valuation of the collateral described below in accordance with § 506(a), United States Bankruptcy Code.
2. The name of the lienholder is: USDA Farm Service Agency.
3. The type of property is personal and real property described as: the Debtors' farm property, poultry houses, poultry equipment, farm equipment and implements and miscellaneous items.
4. The amount of the debt is in excess of \$200,000.00.
5. The fair market value of the collateral is \$00.00. The Debtors' assets are all encumbered by liens, mortgages and security interests for amounts far in excess of their fair market value.

Pedro Saavedra
Pedro Saavedra
Affiant-Debtor

Viviana Saavedra
Viviana Saavedra
Affiant-Debtor

Sworn to and subscribed before me
on this 26th day of June, 2014.



Connie Kotnik-Abel
Type Name: Connie Kotnik-Abel
Notary Public, State of Florida
COMMISSION EXPIRY/NUMBER:

PERSONALLY KNOWN OR PRODUCED IDENTIFICATION XXXX
DESCRIBE IDENTIFICATION PRODUCED Driver's License
DID TAKE AN OATH XXXXXX DID NOT TAKE AN OATH

09040

